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## 130. TRAFFIC CODE<sup>1</sup>

130.01. Speed Limit. Where no special hazard exists, the speed limit upon all streets and highways within the territorial limits of the city is 30 miles per hour except where a higher or lower speed is posted along a street or highway, in which case the posted speed is the speed limit. All speed limits within the city are maximum limits and any speed in excess thereof is unlawful.

130.02. Unnecessary Speed. No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way. Prima facie evidence of such unnecessary exhibition of speed shall be unreasonable squealing or screeching sounds emitted by the tires or the throwing of sand and gravel by the tires of said vehicle or both.

130.03. Operation of Motorcycles. No person shall operate a motorcycle in or upon any of the following places in the city:

- (1) Upon any public sidewalk.
- (2) Upon any pedestrian walkway in any public park.
- (3) In any public park except upon roadways established and marked for vehicular travel.
- (4) Upon any public school grounds except upon roadways established and marked for vehicular travel.
- (5) Upon any public parking areas except for the purposes of parking therein.
- (6) Upon any other public grounds or areas except upon roadways established and marked for vehicular travel.

130.04. Seasonal Load Restrictions. No person shall operate a vehicle on a street on which vehicular traffic is prohibited or in violation of the designated weight restriction for such street. The council may by resolution prohibit the operation of vehicles upon any street or impose restrictions as to the weight of vehicles to be operated upon any street, whenever any such street, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles therein is prohibited or the

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<sup>1</sup>The provisions of this code pertaining to traffic and parking regulations supplement the more extensive state traffic regulations contained in Minnesota Statutes, Chapter 169 which are applicable in the City of Rochester. See Minnesota Statutes, Sections 169.03, subd. 9, and 169.04.

permissible weights thereof reduced. The resolution providing for such prohibition or such restriction shall describe the street and the termini of the prohibition or restriction. The city engineer shall have signs erected and maintained indicating the prohibition or restriction at each end of that portion of any street affected thereby and the prohibition or restriction shall not be effective unless and until such signs are erected and maintained.

130.042. Jake-Braking Prohibited. It shall be unlawful for the driver of any vehicle to use or operate within the City of Rochester any mechanical exhaust device designed to aid in the braking or deceleration of any vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle, or otherwise known as jake-braking.

130.045. Bicycle Ways: Motor Vehicles Prohibited. Subdivision 1. Definitions:

(a) "Bicycle Way" means any path, sidewalk or portion thereof, designated by official signs or other appropriate identification as exclusively reserved for the use of bicycles and other vehicles propelled solely by human power, or by pedestrians.

(b) "Motor vehicle" means every vehicle which is self propelled and not moved solely by human power. The term motor vehicle shall include a motorized bicycle as defined by Minnesota Statutes Section 169.01, subd. 4(a).

Subd. 2. No person shall drive or operate a motor vehicle on a bikeway within the City of Rochester.

Subd. 3. Exceptions. This section shall not apply to the driver of an authorized emergency vehicle as defined by Minnesota Statutes Section 169.01, subd. 5; or, to a person in a self propelled wheelchair.

130.05. Traffic Control Devices. The traffic engineer shall install, maintain, relocate and remove such traffic control devices at intersections and along streets and highways as the traffic engineer deems necessary to regulate, warn or guide public traffic in order to promote the public health, safety and welfare. In exercising the authority granted by this section, the traffic engineer shall consider such things as traffic volume, street design and topography, pedestrian and bicycle use, speed of vehicles and any other matters related to the movements and safety of pedestrians and traffic. Traffic control devices to be installed by authority of the traffic engineer shall not become effective until a written notice of such installation is filed with the offices of the city clerk and chief of police, and the appropriate traffic control device is installed at the approximate location designated in the notice. Except as otherwise provided by this code, all traffic control devices authorized by the traffic engineer must conform to the state manual and specifications for a uniform system of traffic control devices. Notwithstanding the provisions of this section, any traffic control

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device heretofore authorized and installed by lawful authority shall continue in full force and effect until removed by the traffic engineer.

(Amended by Ord. # 3819 on June 4, 2007)

130.06. Unless otherwise declared with respect to particular violations, it is a petty misdemeanor for any person to do any act forbidden or fail to perform any act required by chapters 130 through 133, and 135 through 137; except that: (a) a violation which is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property; or (b) exclusive of violations relating to the standing or parking of an unattended vehicle, a third or subsequent violation of any of the provisions of said chapters, classified by this section as a petty misdemeanor, within the immediate preceding 12 months; is a misdemeanor.

(767, 11/26/51; 1293, 12/24/64; 1401, 6/5/67; 1436, 2/5/68; 1595, 6/7/71; 1616, 10/4/71, 1783, 10/7/74; 1802, 4/21/75; 2022, 2/20/79; 2087, 12/4/79; 2258, 8/3/82; 3161, 4/21/98; 3295, 11/16/99; 3819, 6/4/07)